

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

United States of America,
Plaintiff,

v.

Kinde Durkee,
Defendant.

No. 2:12-cr-00123-KJM

United States of America,
Plaintiff,

v.

Kinde Durkee,
Defendant and Judgment
Debtor,

and

State Controller's Office,
Garnishee.

No. 2:21-mc-00181-MCE-CKD

RELATED CASE ORDER

1 Examination of the above-captioned actions reveals that they are related within the
2 meaning of Local Rule 123(a). In the miscellaneous case, the United States seeks a writ of
3 continuing garnishment to enforce the criminal restitution order imposed against the defendant in
4 the criminal case. The cases thus “involve similar questions of fact and the same question of law
5 and their assignment to the same Judge or Magistrate Judge is likely to effect a substantial
6 savings of judicial effort.” Local Rule 123(a)(3). Accordingly, the assignment of these matters to
7 the same judge is likely to effect a substantial savings of judicial effort and is likely to be
8 convenient for the parties.


9 The parties should be aware that relating cases under Rule 123 causes the actions to be
10 assigned to the same judge and magistrate judge—it does not consolidate the actions. Under Rule
11 123, related cases are generally assigned to the judge and magistrate judge to whom the first filed
12 action was assigned.

13 As a result, it is hereby ORDERED that No. 2:21-mc-00181-MCE-CKD is reassigned
14 from the Honorable Morrison C. England to the undersigned. The assignment of the
15 miscellaneous case to Magistrate Judge Carolyn K. Delaney is unchanged. The caption on
16 documents filed in the reassigned case shall be shown as 2:21-mc-00181-KJM-CKD.

17 It is further ORDERED that the Clerk of the Court make appropriate adjustment in the
18 assignment of civil cases to compensate for this reassignment.

19 IT IS SO ORDERED.

20 DATED: August 16, 2021.

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23 CHIEF UNITED STATES DISTRICT JUDGE
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